

January 9, 2008

RE: Dianne Thompson v. Department of Social and Health Services
Allocation Review Request ALLO-06-039

Dear Ms. Thompson:

On November 6, 2007, I conducted a Director's review meeting at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of your position. Present at the Director's review meeting were you and Pam Pelton, Classification and Recruitment Manager, representing the Department of Social and Health Services (DSHS).

Background

On October 25, 2006, you submitted a Position Review Request (PRR) (Exhibit 2) along with a Position Description Form (PDF) (Exhibit 1)) to DSHS's Human Resources Division. You requested that your Social & Health Program Manager 2 (SHPM 2) position (#C475) be reallocated to a Social & Health Program Manager 3 (SHPM 3). By letter dated October 30, 2006, Ms. Pelton informed you that your request had been denied. In her determination, Ms. Pelton concluded your position had not been designated as a lead worker of professional staff. She further concluded your position had not been assigned duties to develop and provide statewide training to staff or providers, and you did not function as a field manager for an assigned region (Exhibit 3).

On December 4, 2006, the Department of Personnel received your request for a Director's review of DSHS's allocation determination (Exhibit 1-A).

The following summarizes your perspective as well as your employer's:

Summary of Ms. Thompson's Perspective

You assert this position is the only position providing contract services to over 300 staff in the region (Children's Administration, Region 5). You contend the position provides service to a large number of state employees and manages over 250 contracts. You point out the position is regional, as opposed to being a field position, and contend there is a large amount of varied responsibility assigned to the position. You assert the depth of program knowledge required for the position is equivalent to the Contract Monitor positions assigned to the Social & Health Program Manager 3 classification.

Summary of DSHS's Reasoning

DSHS asserts your position, with the working title of your position is Contracts Manager, is appropriately allocated to the Social & Health Program Manager 2 classification. DSHS describes your position as a "service contracts" position for specific clients in Children's Administration, which DSHS contends differs from Contract Specialist positions assigned to an entire agency. DSHS asserts you perform work at the journey level and develop, monitor, and implement grants for service contracts. While DSHS agrees your position monitors service delivery for quality assurance, the department contends you do not develop plans for other professional staff to monitor or lead professional in performing that function. DSHS acknowledges you may provide guidance or clarification to professional staff about the contracts you work with but contends your position has not been designated lead responsibility over other professional staff. DSHS asserts your duties and responsibilities fit the Social & Health Program Manager 2 classification.

Director's Determination

This position review was based on the work performed for at least the six-month period prior to October 25, 2006.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal comments provided by both parties. Based on my review and analysis of your assigned duties and responsibilities, I conclude your position is properly allocated to the Social & Health Program Manager 2 classification.

Rationale for Determination

Your position is assigned to a Regional Business Office within Children's Administration and has the working title of Regional Contracts Manager. Your position's purpose, as described on both the PRR (Exhibit 2) and PDF (Exhibit 1) is summarized as follows:

This position establishes, manages, and monitors contracts with individuals or agencies providing direct services to DSHS clients or staff. As such, the position develops and implements monitoring plans to assess performance and compliance required by the contract agreements, accuracy of billing for services performed, record keeping, and timeliness of client and professional service providers. In performing these functions, the position has the responsibility of reducing risk to the agency and maximizing efficient and effective use of contract funds. This position provides backup to the Business Manager and supervises an Office Assistant 3 position.

The majority of your assigned duties, as stated on the PRR (60%), include developing, administering, negotiating, and terminating all client and personal service contracts in Children's Administration Region 5. This includes writing custom contracts, meeting with current or potential contractors, negotiating fees and contract terms, and modifying existing contracts when necessary (Exhibit 2). These duties coincide with the description of duties identified on the PDF, which include the following (Exhibit 1):

- Assist and represent the Business Manager at community and statewide meetings; maintain positive public relations with agency staff and client service providers and respond to inquiries;
- Provide regional leadership to professional staff and managers on client and professional services contract related issues; work with other staff to establish agency goals and objectives for selected contracted programs;
- Provide guidance and assistance to two Contract Monitors in the monitoring of client and professional service contracts; supervise an Office Assistant 3 in providing contract support;
- Develop a yearly contract monitoring schedule and create and maintain contract logs, files, monthly and quarterly reports for tracking functions related to contract monitoring;
- Prepare reports for distribution to agency staff and client service providers, including recommendations and corrective action plans.
- Conduct assessments through work site visits, input from agency staff, and review of agency records;
- Review provider billings and reimbursement requests for accuracy and authorize provider payments for service while monitoring contract balances;
- Assist client service providers with compliance regarding contracts and provide technical assistance;
- Interpret and apply laws, policies, and procedures and evaluate and develop programs to resolve complex problems.

The definition for the Social & Health Program Manager 2 classification reads, in part, as follows:

Independently develop, administer, and/or monitor social, financial, or health services programs or the program policies and procedures for use by staff or service vendors; or develop plans for monitoring service delivery; or develop, implement, monitor and provide statewide training to staff, community or providers to enhance the delivery of services . . .

The distinguishing characteristics further note that some positions in this class may perform one of the following functions a majority of the time:

- develop, implement and monitor grants and/or service contracts;
- liaison and public relations;
- draft or analyze proposed legislation and determine fiscal impact;
- conduct program audits and on-site inspections;
- review findings of hearings;
- research, analyze and interpret State and Federal regulations and/or legislation; or
- develop, implement, direct and monitor a designated project or projects;
- licensure of day care centers; or
- training Financial Service Specialists.

Although examples of typical work do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following items are included in the examples of typical work listed at the SHPM 2 level and are most in line with the work or level of work assigned to your position:

- Designs and develops statewide programs or program plans, policies and procedures for the delivery of social, financial, or health services by staff or providers; produces rules and regulations related to the delivery of program services; conducts program audits and on-site visits to field offices/institutions to monitor policy implementation and compliance;
- Produces guidelines and related materials for guidance of agency and vendor staff and provides policy interpretation to staff, clients, community, groups, other states and agencies;
- Analyzes State and Federal laws and federal regulations, and drafts needed changes and recommendations;
- Develops assumptions for program budget projections; monitors allotments of program monies, expenditures and performance indicators, provides input and reviews and monitors expenditures (with regard to contracts);

- Participates in establishing goals and objectives for programs and staff; provides liaison and coordination with other divisions of DSHS on programs having cross-bureau or cross-divisional impact; identifies problem areas, advises management and makes recommendations;
- Develops and prepares program grant proposals and applications, fiscal and contract procedures for statewide implementation; obtains funds for specific areas to meet client needs;
- Provides technical assistance and consultation to agency staff, vendors, community groups, and legislative body; serves as intra- and inter-agency liaison;
- Develops, negotiates and implements service contracts; develops bid packages; monitors contracts for delivery of service; terminates contracts; writes statement of work; writes corrective action; monitors contract monitors.

When comparing your assigned duties and responsibilities to the SHPM 2 class specification, your position fits this classification because you establish, manage, and monitor contracts and develop and implement monitoring plans to ensure contract compliance.

Positions at the Social & Health Program Manager 3 level are considered “designated lead worker[s]” assigned to “lead professional staff . . . in developing, administering and/or monitoring social, financial or health services programs or the program policies and procedures for use by staff or vendors; developing plans for monitoring service delivery . . .” Positions may also function as field managers for an assigned region.

While your position does provide guidance and assistance to other professional positions with respect to the contracts you manage, your position has not been assigned lead responsibility over other professional positions tasked with developing monitoring plans. The guidance you provide, as well as your participation in the development of goals and objectives related to social program services covered by these contracts fit within the scope of the Social & Health Program Manager 2 classification. Therefore, your position (#C475) is properly allocated.

Appeal Rights

If this position is covered by a Collective Bargaining Agreement, please refer to the contract to determine whether the parties have appeal rights to the Personnel Resources Board.

If this position is not represented, WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC. An

appeal must be received in writing at the office of the Personnel Resources Board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor
Legal Affairs Division

c: Pam Pelton, DSHS
Lisa Skriletz, DOP

Enclosure: List of Exhibits